

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA, §
Plaintiff §
§
v. § **1:07-cr-00804-SWK**
§
SILVESTRE RICO BELTRAN, §
Defendant §

UNOPPOSED MOTION FOR CONTINUANCE

TO THE HONORABLE JUDGE:

COMES NOW, SILVESTRE RICO BELTRAN, the Defendant by and through his attorney of record, Carlos A. García, and moves this Honorable Court to continue his Oral Arguments Hearing date and shows unto the Court as follows:

I.

Defendant, SILVESTRE RICO BELTRAN is set for Oral Arguments Hearing on January 14, 2008, at 8:30 A.M.

II.

Defendant is requesting this continuance for the reason that Defendant's Attorney has a prior court setting for January 14, 2008 in Marion, Illinois in People of Illinois vs. Magdaleno Valdez, Cause No. 2007CF143.

This Motion for Continuance is not made for purposes of delay, but that justice may be done.

WHEREFORE PREMISES CONSIDERED, Defendant, SILVESTRE RICO BELTRAN respectfully requests that the Court grant his Motion for Continuance and reset his Hearing date for the week of February 11, 2008.

Respectfully Submitted,

By: /s/ Carlos A. García
Carlos A. García
State Bar No. 24048934
Southern District of Texas Bar No.: 589236
1305 East Griffin Parkway
Mission, Texas 78572
Tel. (956) 584-1448
Fax: (956) 584-7402

CERTIFICATE OF SERVICE

I, Carlos A. García, hereby certify that on Monday, December 10, 2007 a true and correct copy of the above and foregoing Motion for Continuance was forwarded to Brendan R. McGuire Bay in charge of this case, at the U.S. Attorney's Office, SDNY, One St. Andrew's Plaza, New York, New York , 10007.

/s/ Carlos A. García
Carlos A. García

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CERTIFICATE OF CONSULTATION

I, Carlos A. García, counsel for SILVESTRE RICO BELTRAN, hereby certify that on Monday, December 10, 2007 my office contacted the Brendan R. McGuire, Assistant United States Attorney in charge of this case, concerning filing Defendant's Motion for Continuance, consequently Assistant United States Attorney is not opposed.

Respectfully Submitted,

By: /s/ Carlos A. García
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